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IN THE HIGH COURT OF KARNATAKA AT BANGALORE

Dated this the 18th day of June, 1998

BEFORE

THE HON'BLE MR. JUSTICE V.P. MOHAN KUMAR

WRIT PETITION NO. 14535 OF 1993

BETWEEN :

Jaagruthi Gramabirudhi Sangha,  
Neelatur, Hogalagere Post,  
Srinivasapura Taluk,  
Kolar District,  
by its Secretary

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.. PETITIONER

(Sri L.M. Pandurangaswamy, Advocate)

A N D :

1. The Deputy Commissioner,  
Kolar District, Kolar
2. The Tahsildar,  
Srinivasapura Taluk,  
Kolar District
3. The Block Development Officer,  
Srinivasapura Taluk,  
Kolar District
4. Shankarappa S/o Chikkamuni swamy  
aged about 21 years

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5. N.H. Nagaraju,  
S/o. Hanumanthappa,  
aged about 26 years,  
both are residing at  
Neelatur Village,  
Hogalagere Post,  
Srinivasapura Taluk,  
Kolar District

.. RESPONDENTS

(Sri C. Ramakrishna, H.C.G.P. for R-1 to 3  
Sri B. Pape Gowda for R - 4 & 5 )

Writ Petition filed under Article 226 of the Constitution of India, praying to; issue a writ in the nature of mandamus directing the respondents to reserve the land measuring 3 acres 20 guntas in Sy. No. 8 of Neelatur Village, adjacent to the Government Primary School, situated in the said Sy.No. for the use of the students and youths of the village as play ground and the same may be granted to the petitioner for the said purpose, etc.

This Writ Petition coming on for Orders,  
this day, the Court made the following :

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The petitioner herein seeks a writ of mandamus calling upon the respondents to grant 3 acres 30 guntas of land in Sy.No. 8 of Neelatur village, adjacent to

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to Government Primary School for use of the students and youths of the village as play ground. The petitioner is the Jagruthi Gramabirudhi Sangha, Hogalagere Post, Srinivasapur Taluk, Kolar District. It is not shown as to what legal right exists in the petitioner to seek this relief. It is also not shown to this Court as to whether the Government Primary School, referred to in the prayer, at all exists, and if it exists, whether it is willing to receive the land and maintain the same as play ground. It is also not shown that any application has been made by the Government Primary School itself in this behalf. As long as there is no demand for the land nor refusal by the authorities and in the absence of a statutory right, no relief can be granted to the petitioner. The writ petition is accordingly dismissed.

Sd/-  
JUDGE

